

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDEN WILLIE ISELI,

Plaintiff,

v.

THE ALEG,

Defendant.

No. 2:23-cv-0067 DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims his right have been violated based on his housing status. Presently before the court is plaintiff's request for review. (ECF No. 15.)

Plaintiff requests that he be permitted "to attend physicy [sic] to properly review and deliberate such grantable for relief and resolvment [sic] directly for all related to such matter directly, proceeding such process of due process physicaly [sic], and verbally if possible." (ECF No. 15 at 2.) Plaintiff is advised that Eastern District of California Local Rule 130(l) provides that in actions where "one party is incarcerated and proceeding" pro se, motions "shall be submitted upon the record without oral argument." Moreover, there is no hearing currently scheduled in this action. Accordingly, the court will deny the motion without prejudice.

By order dated May 18, 2023, the undersigned screened the complaint, determined it did not state a cognizable claim, and granted plaintiff thirty days leave to file an amended complaint.

Those thirty days have passed, and plaintiff has not submitted an amended complaint. Plaintiff is warned that failure to file an amended complaint will result in a recommendation that this action be dismissed for failure to prosecute and failure to comply with court orders. See Fed. R. Civ. P. 41(b); Local Rule 110.

For the reasons set forth above, IT IS HEREBY ORDERED that:

1. Plaintiff's request for review (ECF No. 15) is denied without prejudice; and

2. Plaintiff shall file an amended complaint within thirty days of the date of this order.

Failure to comply will result in a recommendation that this action be dismissed.

Dated: August 7, 2023

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DB:12

DB/DB Prisoner Inbox/Civil Rights/R/isel0067.req